



EXPRESS MAIL NO. EL897872623US

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : James E. Fleming et al.  
Application No. : 09/912,266  
Filed : July 24, 2001  
For : METHOD AND APPARATUS FOR VIABLE AND NONVIABLE  
PROKARYOTIC AND EUKARYOTIC CELL QUANTITATION

Docket No. : 390054.402

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73 AND POWER OF ATTORNEY

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment filed concurrently herewith, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

Assignee hereby appoints George C. Rondeau, Jr., Reg. No. 28,893; David H. Deits, Reg. No. 28,066; William O. Ferron, Jr., Reg. No. 30,633; Richard G. Sharkey, Reg. No. 32,629; David V. Carlson, Reg. No. 31,153; Karl R. Hermanns, Reg. No. 33,507; Michael J. Donohue, Reg. No. 35,859; Jane E. R. Potter, Reg. No. 33,332; Robert Iannucci, Reg. No. 33,514; Lorraine Linford, Reg. No. 35,939; David W. Parker, Reg. No. 37,414; E. Russell Tarleton, Reg. No. 31,800; Ellen M. Bierman, Reg. No. 38,079; Brian G. Bodine, Reg. No. 40,520; Robert M. Ward, Reg. No. 26,517; Frank Abramonte, Reg. No. 38,066; Kevin S. Costanza, Reg. No. 37,801; Stephen J. Rosenman, Reg. No. 43,058; Brian L. Johnson, Reg. No. 40,033; Susan D. Betcher, Reg. No. 43,498; William T. Christiansen, Reg. No. 44,614; Jeffrey C. Pepe, Reg. No. 46,985; Timothy L. Boller, Reg. No. 47,435; James M. Verna, Reg. No. 33,287; James A. Mesher, Reg. No. P-48,700; Mae J. Rosok, Reg. No. P-48,903; Dale R. Cook, Reg. No. 42,434; comprising the firm of Seed Intellectual Property Law Group PLLC, 701 Fifth Avenue, Suite 6300, Seattle, Washington 98104-7092, as its attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Please direct all telephone calls to William T. Christiansen, Ph.D. at (206) 622-4900 and telecopies to (206) 682-6031.

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PATENT TRADEMARK OFFICE

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Pursuant to 37 C.F.R. § 3.73, the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the Assignment to GenPrime, Inc. filed concurrently herewith for recording, a copy of which is attached hereto, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

GenPrime, Inc.  
ASSIGNEE

NOV 6 2001

DATE

A handwritten signature of James E. Fleming is written over a horizontal line.

James E. Fleming  
Vice President of Research and Development

Enclosure:

Copy of Assignment